

genzyme

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GROUP 1600

TO: United States Patent and Trademark Office
Attn: Examiner Anjum I. Rishi
Group Art Unit: 1632
Facsimile No: 703-308-4242

FROM: Elizabeth Lassen
Registration No. 31,845



OFFICIAL

DATE: June 20, 2002

RE: Preliminary Amendment
USSN: 09/826,609
Our Reference: GA0150C

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 7

Please confirm receipt of the attached Preliminary Amendment (3 sheets) to facsimile # 508-872-5415

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GROUP 1600

PTO/SB/97 (08-00)

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A Preliminary Amendment (3 sheets); and Fee Transmittal (in duplicate).

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicable for use through 10/31/2002. OMB 0851-0032
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 120

Complete If Known

Application Number 09/828,609
Filing Date April 5, 2001
First Named Inventor ROBERTS, Bruce
Examiner Name Anjum I. Rishi
Group / Art Unit 1632
Attorney Docket No. GA0150C

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 07-1074

Deposit Account Name GENZYME CORPORATION

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-24 **	2	36
Independent Claims	6	-5 **	84
Multiple Dependent			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	-- Release independent claims over original patent
110	18	210	9	-- Release claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 120

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	820*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	480	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
148	740	248	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
189	900	189	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Elizabeth Lassen	31,845	508-270-2553
Signature		Date 6/20/02

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Patent
Our Docket: GA0150C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9/B

In re Application of:)	Art Unit: 1632
Roberts et al.)	
Serial No.: 09/826,609)	Examiner: Anjum I. Rishi
Filed: April 5, 2001)	
For: GENES DIFFERENTIALLY EXPRESSED)	
IN CANCER CELLS TO DESIGN)	
<u>CANCER VACCINES</u>)	

Assistant Commissioner for Patents
Washington, D.C. 20231

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED VIA FACSIMILE TO EXAMINER ANJUM I. RISHI, GROUP ART UNIT 1632, FACSIMILE NUMBER 703-308-4242	
<i>[Signature]</i> Date: <i>June 20, 2002</i>	<i>[Signature]</i> Signature of person faxing correspondence

PRELIMINARY AMENDMENT

Sir:

Further to the **RESPONSE TO RESTRICTION REQUIREMENT** mailed June 6, 2002, please enter the following amendments to the claims in advance of examination of the instant application.

CLAIMS

Please add new claims 25-26 as follows:

25. (New) A method to identify a putative cancer therapeutic comprising the steps of:

a) identifying a first polynucleotide which is expressed at a higher level in a target cancer cell as compared with a control non-cancer cell;

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